

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – January 20, 2005
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-90)*

Members: Henry P. Szymanski *(voting on items 44, 46, 62-90)*
Scott R. Winkler *(voting on items 1-90)*
Catherine M. Doyle *excused*
Donald Jackson *(voting on items 1-90)*

Alt. Board Members: Georgia M. Cameron *(voting on items 1-43, 45-90)*

START TIME: 2:19 p.m.

End Time: 6:45 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	25463 Use Variance	First Payday Loan of Wisconsin, LLC Lessee Request to occupy a portion of the premises as a payday loan agency.	1200 W. Historic Mitchell St. A/K/A 1202-12 W. Historic Mitchell St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
2	25475 Dimensional Variance	Scott Fergus Key Bridge Group Inc.; Prospective Buyer Request to construct a multi-family residential dwelling that is over the maximum height.	106 W. Seeboth St. A/K/A 116 W. Seeboth St. 12th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	25974 Special Use	Iglesia Pentecostal Remanente Fiel A.I.C. Inc., Marcos A. Rodriguez; Request to occupy a 2nd religious assembly hall on the premises(religious assembly hall shares space with another).	1834 W. Lincoln Av. A/K/A 1832 W. Lincoln Av. 13th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
4	25460 Special Use	First Payday Loans of Wisconsin LLC d/b/a First Payday Loan;Lessee Request to occupy the premises as a payday loan agency.	3180 S. 27th St. A/K/A 3178 S. 27th St. 13th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
5	25950 Dimensional Variance	Sarah Sielen Property Owner Request to construct an attached one-car garage without the minimum side setback.	3433 S. Adams Av. 14th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
6	25918 Special Use	Robert Posey, Lessee Request to occupy the premises as a motor vehicle repair facility.	3507 W. Wright St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	25726 Use Variance	Donald Watson Property Owner Request to occupy the premises as a transitional living facility for 4 individuals.	2527 N. 38th St. A/K/A 2525 N. 38th St. 15th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the petitioner.	
8	26100 Change of Operator	Roosevelt Cooper & Desmond Easley Lessee Request to continue occupying the premises as a specialty school (music and dance studio).	4639 W. Mill Rd. 1st Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
9	26326 Special Use	Murice Johnson, Property Owner Request to occupy the premises as a community living arrangement for 5 males ages 13-17.	8901 W. Rohr Av. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
10	25365 Special Use Dismissed	Angela M. Campbell, Property Owner Request to occupy the premises as a community living arrangement for 5-8 adults.	3612 W. Capitol Dr. A/K/A 3614 W. Capitol Dr. 7th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
11	25847 Special Use	Betty Randle, Quin's Christian Academy; Lessee Request to occupy the premises as a day care center for 45 children infant to 12yrs of age, Monday-Sunday 6:00AM-6:00PM. Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained.	3433 N. 35th St. 7th Dist.
12	25801 Special Use	Roberson Kiddie Lane, Margaret Roberson; Lessee Request to occupy the premises as a day care center for 200 children five to 12yrs, Monday-Friday 6:00am-9:00pm. Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained.	6406 N. 76th St. A/K/A 6452 N. 76th St. 9th Dist.
13	25927 Use Variance	Rhonda Love Blackburn aka Rhonda Chambers; Property Owner Request to occupy the second floor of the premises as a transitional living facility for 6 clients. Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained.	5867 N. 60th St. A/K/A 5865 N. 60th St. 9th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	26301 Special Use	Joseph Fuchs, Property Owner Request to continue occupying the premises as a day care center for 51 children infant to 12 yrs. of age, Monday-Friday 6:00 a.m. - 6:00 p.m.	5402-04 W. Vliet St. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	26350 Special Use	Jermaine Reed, Fresh Start Counseling Center; Lessee Request to continue occupying a portion of the premises as a social service facility. Action: Granted 3 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	7101 W. Capitol Dr. 10th Dist.
16	26303 Special Use	McDonald's Corporation, Richard Neubauen; Property Owner Request to raze the existing structure and construct a fast-food/carry-out restaurant with a drive-thru facility without the required glazing. Action: Adjourned Motion: This matter was adjourned at the request of the Ald. and will be rescheduled for the next available hearing.	3137 S. 76th St. 11th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	26336 Special Use	Options for Community Growth, Inc. Lessee Request to continue occupying the first floor of the premises as an adult family home for developmentally disabled adults and adding 1 resident for a total of 4 individuals. Action: Granted 10 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	4523-25 W. Tripoli Av. 11th Dist.
18	26356 Dimensional Variance	Jordan Beck, Lessee Request to continue to allow an 8' high solid fence without the minimum landscaping area width.	125-39 E. Mineral St. 12th Dist.
		Action: Adjourned Motion: This matter was adjourned by staff and will be rescheduled for the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	26344 Special Use	Noel A. Latus & Sheri M. Latus Property Owner Request to occupy the premises as a motor vehicle repair facility.	980 W. College Av. A/K/A 6102 S. 13th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage plans which meet the sign standards of s.295-805 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That all repair work is conducted inside of the building.</p> <p>6. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>7. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	26184 Special Use	Bridgeman Foods, Inc., Lessee Request to construct a fast-food/carryout restaurant with a drive through facility.	580 W. Layton Av. A/K/A 4575 S. 5th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the site, landscaping and screening plans submitted to the Board of Zoning Appeals on November 29, 2004 is upgraded to include revised pedestrian paths between the building and West Layton Ave, and South 6th Street respectively. The revised plans must also provide additional plant material in the southwest corner of the site. The revised plans must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That revised signage plans, which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised sign plan must reduce the size of the proposed pylon sign to a height that does not exceed 14 feet.</p> <p>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>7. That a revised Certified Survey Map that meets the requirements of s.119 of the Milwaukee code of ordinances is submitted to and approved by the City of Milwaukee.</p> <p>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>9. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>10. That the Dimensional Variance is granted to run with the land.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	26304 Use Variance	Christopher Adams, Prospective Buyer Request to occupy the premises as a general office.	2901 S. Wentworth Av. 14th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the variance is granted for a period of one (1) year during which the petitioner must submit a zoning change application to the Department of City Development to change the zoning from RT3 to RT4.</p> <p>5. That revised façade and elevation plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plans must include additional windows along the first floor level of the Wentworth street facades</p> <p>6. That this Variance is granted for a period of one (1) year, commencing with the date hereof.</p>	
22	26314 Special Use	Iris Walker, Lessee Request to occupy the premises as an adult day care facility for 8 adults (special need/handicap) Monday-Friday 8:00AM-4:30PM.	2451 W. Fond Du Lac Av. 15th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Ald. and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	26322 Dimensional Variance	NIDC, Neighborhood Improvement Development Corporation;Property Owner Request to raze the existing structure and construct a single-family dwelling without the minimum required facade width.	2118 N. 27th St. 15th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That revised façade and elevation plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That this Variance is granted to run with the land.</p>	

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24	26323 Dimensional Variance	NIDC, Neighborhood Improvement Development Corporation;Property Owner Request to construct a single-family dwelling without the minimum required facade width.	2632 W. Lloyd St. A/K/A 2628-30 W. Lloyd St. 15th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
25	26354 Special Use	James Willis, New Recovery Love Life Church;Lessee Request to continue occupying the premises as a religious assembly hall.	4723 W. Center St. A/K/A 4727 W. Center St. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	26279 Dimensional Variance	Rodney Perine, Property Owner Request to allow a detached garage without the minimum required side setback on the premises.	4634 N. 28th St. 1st Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That the petitioner and the north-abutting property owner record an easement with the Milwaukee County Register of Deeds granting permission for the garage to encroach onto the neighboring property and granting the petitioner the right to access the north-abutting property solely for the purpose of performing maintenance on the garage.</p> <p>5. That this Variance is granted to run with the land.</p>	
27	26298 Special Use	Cassandra Sturghill, Lessee Request to increase the time of operation from 6:30 a.m. - 5:30 p.m. to 6:30 a.m. - 10:00 p.m. and continue occupying the premises as a day care facility for 8 children infant to 12yrs of age.	5059 N. 27th St. A/K/A 5057 N. 27th St. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

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28	26340 Special Use	Latasha Jackson, Property Owner Request to increase the number of children from 97 to 134, of the existing day care center with children infant to 12yrs of age operating Monday-Friday 6:00 a.m.- 11:30 p.m.	2400-04 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
29	26345 Special Use	Carolyn A. Teague, Lessee Request to continue occupying the premises as a religious assembly hall (90 capacity) and day care center reducing the number of children from 40 to 15-20, infant to 12yrs of age, operating Monday-Friday 6:00 AM-6:00 PM to the premises.	4117 N. Green Bay Av. 1st Dist.
	Action:	Granted 5 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

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30	26289 Special Use	Mary Beaver, Lessee Request to continue occupying the premises as a day care center for 75 children, infant to 12yrs of age, with increased hours of operation of 6 a.m. to midnight (formally 6 a.m. to 6 p.m.). Action: Granted 10 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	5660 N. Teutonia Av. 1st Dist.
31	26315 Special Use	David Blundon & Greg Hernigle Property Owner Request to continue occupying the premises as a motor vehicle repair and sales facility. Action: Granted 10 yrs. Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 0 Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 6. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	4357 N. 60th St. 2nd Dist.

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32	26359 Dimensional Variance	New Life Fellowship, Incorporated Property Owner Request to continue occupying the premises as a religious assembly hall without the minimum required parking spaces.	6132 W. Fond Du Lac Av. A/K/A 6120 W. Fond Du Lac Av. 2nd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use and this variance is granted for a period of ten (10) years, commencing with the date hereof.	
33	26365 Special Use	Alicia Szalewski, Lessee Request to occupy a portion (2 offices on 2nd floor) of the premises as a personal service facility (massage therapy).	1219 N. Cass St. 3rd Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

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34	26324 Special Use	Warwick Seay, Property Owner Request to add an outdoor patio to the existing tavern.	932 E. Chambers St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	
35	26328 Dimensional Variance	William E. Rumpf & Eva E. Rumpf Property Owner Request to construct a bay window encroaching on the minimum required side-yard setback.	2605 E. Hartford Av. 3rd Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
36	26351 Special Use	Guest House, Inc., Property Owner Request to continue occupying the premises as a social service facility (homeless shelter).	1216 N. 13th St. A/K/A 1230 N. 13th St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	26247 Special Use	Abdel Hakim Fares, Property Owner Request to occupy the rear portion of the existing general retail establishment as a fast-food/carryout restaurant.	1701 W. Galena St. A/K/A 1703 W. Galena St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
38	25669 Special Use	Discount Auto, Thomas D. Manske; Lessee Request to continue occupying the premises as a motor vehicle sales and repair facility.	7808 W. Congress Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled for the next available agenda.	
39	26316 Special Use	New Life Community Church Property Owner Request to occupy a portion of the existing religious assembly hall as a day care center for 60 children, infant to 6 years of age, operating Monday-Friday 6:00AM-6:00PM.	11919 W. Bradley Rd. A/K/A 12228 W. Park Pl. 5th Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	26337 Special Use	<p>Terese S. Gustavson, Gustavson Day Care Services, Inc.; Lessee</p> <p>Request to continue occupying the premises as a day care center for 80 children infant to 12 years of age Monday-Friday 6:30AM-6:00PM.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 0 Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	10226 W. Capitol Dr. 5th Dist.
41	26325 Special Use	<p>Lillie M. Crouther, Property Owner</p> <p>Request to occupy a portion of the premises as a personal service facility (beauty salon).</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson</p> <p>Vote: 4 Ayes, 0 Nays, 0 Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	3570 N. 10th St. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	26341 Special Use	Anthony J. Augustine, Milwaukee-MLK, LLC;Property Owner Request to add on-site heavy motor vehicle renting to the existing indoor storage facility.	2039-47 N. Martin Luther King Dr. 6th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a revised landscape plan that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals, and approved by the Zoning Administration Group prior to the issuance of any permits. The revised landscape and screening plan must provide adequate screening for the trucks that will be parked on site.</p> <p>5. That all previous conditions of the Board regarding this property are complied with.</p> <p>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 14, 2009.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	26342 Special Use	<p>Gregory L. Goner & Laticia Robinson Lessee</p> <p>Request to occupy a portion of the premises as a school (elementary or secondary).</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 0 Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	<p>1747 N. 6th St. A/K/A 600 W. Walnut St. 6th Dist.</p>
44	26343 Special Use	<p>Georgia M. Cameron, Lessee</p> <p>Request to continue occupying a portion of the premises as a day care center for 65 children infant to 12 yrs. of age, Monday - Friday 7:00 a.m. to 9:00 p.m.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 0 Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>2941 N. Martin Luther King Dr. A/K/A 2933 N. Martin Luther King Dr. 6th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	26214 Resubmission Request	Tabernacle Community Baptist Church Carles Snowden Jr & Pastor Robert L. Harris;Property Owner Request for a resubmission to combine the parcels and expand the existing principle parking lot.	2486 W. Medford Av. A/K/A 1476 W. Cypress St. 15th Dist.
	Action:	Granted	
	Motion:	Rehearing request approved.	
	Vote:	3 Ayes, Nays, 1 C.Z. Abstained.	
46	26105 Special Use	Sunrise Baptist Church, Prospective Buyer Request to remodel the existing structure (without the amount of glazing required by code) and occupy the premises as a religious assembly hall.	3725 N. Teutonia Av. A/K/A 3723 N. Teutonia Av. 6th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
47	26196 Special Use	John F. Saunders, Property Owner Request to occupy the premises as heavy motor vehicle repair facility.	601 S. 93rd St. 10th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, Nays, 1 C.Z. Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
48	26225 Special Use	James G. Stark, Lessee Request to occupy the premises as a motor vehicle sales and repair facility.	5813 W. Blue Mound Rd. 10th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That no disabled or unlicensed vehicles or parts are stored outside. 7. That all repair work is conducted inside of the building. 8. That repaired vehicles are not test driven through the surrounding residential areas. 9. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That this Special Use is granted for a period of time commencing with the date hereof and expiring on January 25, 2010. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	26245 Special Use	Patrice Smith, Lessee Request to occupy the premises as a day care center for 45 children, 3 yrs. to 12 yrs. of age, operating Monday - Friday 7:00 a.m. - 10 p.m.	7101 W. Capitol Dr. 10th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 7. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 8. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards. 9. That the unused driveway on N. 71st Street is closed and restored with curb and gutter. 10. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	26081 Special Use	Armando Sierra, Lessee Request to occupy the premises as a religious assembly.	1439 W. Lincoln Av. A/K/A 1437 W. Lincoln Av. 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Georgia Cameron.	
	Vote:	3 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	26262 Special Use	Milwaukee Mudd d/b/a Mountain Mudd Espresso, Lessee Request to occupy a portion of the parking lot as a drive through facility (coffee kiosk w/ drive through) without the minimum required 200ft. of queuing lane (proposes 80 ft.).	841 W. Layton Av. A/K/A 881 W. Layton Av. 13th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	26339 Special Use	John J. Befus, Property Owner Request to occupy the premises as a sales facility (used cars).	2727 S. 11th St. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the intent of s.295-405 of the Milwaukee Zoning Code for motor vehicle display must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 6. That no disabled or unlicensed vehicles or parts are stored outside. 7. That all repair work is conducted inside of the building. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	26212 Use Variance	Roosevelt Fisher & Monique Fisher Property Owner Request to increase the hours of operation from Monday-Friday 8:00a.m. - 5:00p.m. and Saturday 8:00a.m. - 2:00p.m. to Monday-Friday 9:00a.m. - 7:00p.m. and Saturday 9:00a.m. - 4:00p.m. of the existing motor vehicle repair facility.	1739 N. 35th St. A/K/A 1743 N. 35th St. 15th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 6. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 7. That this Variance is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	26221 Special Use	Eastbrook Church, Don DiMartino & Marc Erickson;Property Owner Request to construct a modular structure (trailer) without the code required front setback, minimum amount of glazing and without a primary entrance on the front facade of the building and occupy it as a social service facility (adult education).	5409 N. Green Bay Av. 1st Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the social service facility only operate in the temporary building on site. 5. That the petitioner submit a landscaping plan to the Zoning Administrative Group that is approved by staff and implemented by July 1, 2005. 6. That this Special Use and these Variances are granted for a period of time commencing with the date hereof and expiring on November 4, 2006. 	
55	26274 Special Use	Sherri Bond, Lessee Request to occupy the premises as a transitional living facility for 20 individuals.	4576 N. 31st St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	26286 Special Use	Deborah Sykes, Property Owner Request to occupy the premises as a group home for 8 girls ages 12-17.	4544 N. 22nd St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by the applicant and will be rescheduled for the next available agenda.	
57	26231 Special Use	Deborah A. Crowley, Property Owner Request to occupy the premises as an adult family home for 3 or 4 individuals (developmentally disabled, functional impaired elderly, ambulatory, non-ambulatory, semi-ambulatory).	7057 N. 44th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	26246 Use Variance	Maureen Manning, Christ Child Society; Lessee Request to occupy the premises as a second-hand store (resale boutique).	4033 W. Good Hope Rd. A/K/A 7133 N. 40th St. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the wall sign be reduced to a size not exceeding 18 square feet in order to comply with the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That there is no outdoor display of products or merchandise. 6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 7. That this Variance is granted for a period of three (3) years, commencing with the date hereof. 	
59	26165 Special Use	Susan Crockett, Lessee Request to occupy the premises as an adult family home for 4 elderly residents (advanced aged, dementia, Alzheimer, physically disabled, and terminally ill).	5267 N. 51st Bl. 2nd Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	26180 Use Variance	John Thornton, Property Owner Request to occupy the premises as a day care center for 16 children (8 per shift) infant to 12yrs of age, Monday - Sunday 6:00 a.m. - 12:00 midnight.	8208 W. Eggert Pl. 2nd Dist.
	Action:	Dismissed	
	Motion:	Scott Winkler moved to dismiss the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
61	26183 Special Use	Shirley T. Gladney, Property Owner Request to occupy the premises as an adult family home for 4 clients (elderly & developmentally disabled).	4676 N. 70th St. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Georgia Cameron	
	Vote:	4 Ayes, 0 Nays, 0 Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	26302 Use Variance	James & Lucretia Hightower, Property Owner Request to occupy the premises as a day care center for 40 children infant to 12yrs of age, Monday-Friday 6:00AM-Midnight. Action: Granted 5 yrs. Motion: Georgia Cameron moved go grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area by some type of physical barrier such as bollards. 8. That a loading zone is obtained directly in front of the site. 9. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for institutional and educational occupancies. 10. That this Variance is granted for a period of five (5) years, commencing with the date hereof. 	5453 N. 91st St. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	26233 Use Variance	Exie Washington Lessee Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, Monday - Friday 6:00a.m. - 6:00p.m. Action: Dismissed Motion: Scott Winkler moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	5915 N. 65th St. A/K/A 5917 N. 65th St. 2nd Dist.
64	26249 Special Use	Rebecca Sims, Property Owner Request to occupy the premises as a community based residential facility for 6 residents (senior citizens). Action: Dismissed Motion: Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	5718 N. 70th St. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	26300 Special Use	<p>Zeanie Henderson, Property Owner</p> <p>Request to occupy the premises as a 24 hr family day care home for 24 children(8 per shift)infant to 12yrs of age, Monday-Sunday.</p>	<p>4479 N. 66th St. A/K/A 4477 N. 66th St. 2nd Dist.</p>
	Action:	Granted 2 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>5. That no signage is permitted.</p> <p>6. That the petitioner take all measures necessary to control loud noise on the premises associated with late night drop offs and pickups.</p> <p>7. That no more than 3 children be on site during third shift.</p> <p>8. That no drop off or pick up occur before 6:30 a.m. or after 10:30 p.m.</p> <p>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
66	26307 Use Variance	<p>Kabao Yang, Property Owner</p> <p>Request to occupy a portion of the premises (1 unit) as a day care center for 8 children infant to 12 yrs. of age, Monday - Friday 7:00 AM-7:00 PM.</p>	<p>7805 W. Bender Av. 2nd Dist.</p>
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	26313 Special Use	The Woodson Academy Lessee Request to occupy a portion of the premises as a school (elementary)/ 100 children).	6057 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	Georgia Cameron moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
68	26269 Special Use	Theresa Boswell Lessee Request to occupy a portion of the premises as a health clinic (mental health for children/adolescents and families).	2266 N. Prospect Av. A/K/A 2252 N. Prospect Av. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	26272 Special Use	Ghaleb J. Chehayeb & Nada Radwan Lessee Request to occupy the premises as a fast-food/carryout restaurant. Action: Granted 2 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 7. That the sign displayed in the photograph submitted to the Board on 8/26/04 with the wording 'Carry Out Special...' is removed, that freestanding signage is limited to the existing pylon sign panel, and that all other signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 8. That the applicant make exterior improvements to the building, that include implementation of the approved landscaping plan, within four months of the date hereof. 9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	1500 N. Farwell Av. 3rd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	26299 Dimensional Variance	Stephen & Ellen Servais, Property Owner Request to split the parcel and construct a residential single-family dwelling over the maximum required average front setback.	2915 N. Bremen St. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
71	26192 Special Use	Pat & Paul Haislmaier, Property Owner Request to raze the 2 story wood porch on site and construct a 3-story side addition to the existing Board approved office building.	1042 E. Juneau Av. 3rd Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 18, 2012.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	26293 Special Use	<p>The Open Gate Inc., Property Owner</p> <p>Request to occupy the premises as a transitional living facility for 4 clients and one house manager (clients with mental health issues and recovering from drugs & alcohol).</p>	1214 N. 13th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	
73	26294 Use Variance	<p>Amatullah Umrani, Property Owner</p> <p>Request to allow a parking area for two vehicles in the front yard setback.</p>	545-47 N. 29th St. 4th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
74	26319 Special Use	<p>Wispark, LLC, Property Owner</p> <p>Request to occupy the premises as a parking lot.</p>	522 N. 2nd St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled for the next available agenda.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	26327 Special Use	Genesis Behavioral Service, Inc., Lessee Request to occupy a portion of the premises as a social service facility (32 clients on site maximum at any given time).	230 W. Wells St. A/K/A 808 N. Old World Third St. 4th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Georgia Cameron moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	
76	26260 Special Use	Taula Lampley, Prospective Buyer Request to occupy the premises as a day care center for 105 children per shift infant to 12yrs of age Monday - Saturday 5:30 AM - 12:30 AM closed Sunday.	2801-03 N. Martin Luther King Dr. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
77	26278 Use Variance	James Carlson, Lessee Request to occupy the premises as a community center.	1319 N. Martin Luther King Dr. A/K/A 1301 N. Martin Luther King Dr. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the existing storefront windows remain as clear glass and are maintained in a neat and attractive manner. 5. That this Variance is granted for a period of two (2) years, commencing with the date hereof.	
78	26287 Special Use	Deborah Sykes Request to occupy the premises as a group home for 8 girls ages 12-17.	2516 N. Palmer St. 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.	
79	26147 Special Use	Sheila Ramos & Carlos Ramos Prospective Buyer Request to occupy the premises as a Community Based Residential Facility (CBRF) for 8 female clients ages 11-17.	2903 N. 28th St. 7th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
80	26250 Special Use Granted	Wyonna Dixon Lessee Request to occupy the premises as an adult family home for 4 adults (mentally & physically disabled).	4749 N. 36th St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Georgia Cameron.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all code violations are corrected prior to occupancy. 5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
81	26263 Special Use	Clarindria White, Property Owner Request to occupy the premises as a community living arrangement for 8 clients (4 teenage mothers, and 4 children).	3159 N. 42nd St. 7th Dist.
	Action:	Denied	
	Motion:	Donald Jackson moved to deny this appeal. Seconded by Henry Szymanski.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
82	26273 Use Variance	Cynthia Luckett, Property Owner Request to occupy the premises as a day care center for 8 children infant to 12yrs of age, Monday - Saturday 6:00 a.m. - 6:00 p.m. and Sunday 6:00 a.m. - 2:00 p.m.	4652 N. 53rd St. 7th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
83	26275 Special Use	Larry Johnson, Property Owner Request to occupy the premises as a day care center for 16 children (8 per shift) infant to 12yrs of age, Monday - Friday 6:00 a.m. to 12:00 a.m.	3035 N. 40th St. A/K/A 3037 N. 40th St. 7th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
84	26331 Dimensional Variance	Howard Karsh, Property Owner Request to construct a deck on the premises without the minimum required side setback.	3325 N. 51st Bl. 7th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
85	26202 Dimensional Variance	Oscar Bond, Pleasant Grove Missionary; Prospective Buyer Request to occupy the premises as a religious assembly hall (without the required parking).	2721 W. Townsend St. 7th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
86	26176 Special Use	Timothy Taylor, Property Owner Request to occupy the premises as a transitional living facility for 16 clients.	6333 W. Florist Av. 9th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
87	25395 Special Use	Anthony Arteaga, Property Owner Request to construct a building on the site and occupy it as a contractor's shop.	4000 S. Pine Av. 14th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
88	25613 Appeal of an Order	Anthony Arteaga, Property Owner Request to appeal an order of the Department of Neighborhood Services determine that all construction on site must cease until the evaluation of the site has been completed and the approval granted from the Board to continue construction (This site requires Special use and Variance approvals).	4000 S. Pine Av. 14th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the item. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
89	25461 Special Use	First Payday Loans of Wisconsin, LLC Lessee Request to occupy a portion of the premises as a payday loan agency.	3505 W. Wisconsin Av. A/K/A 3501 W. Wisconsin Av. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
90	24592 Special Use	Scott Wilder, Property Owner Request to occupy the premises as a community living arrangement for 12 adults.	7412 W. Silver Spring Dr. A/K/A 7410 W. Silver Spring Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Winkler moved to approve the minutes of the December 9, 2004 meeting. Seconded by Board member Jackson. Unanimously approved.

The Board set the next meeting for February 10, 2005.

Board member Szymanski moved to adjourn the meeting at 6:45 p.m.. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board